BILL NO. S-90-03- 23

SPECIAL ORDINANCE NO. S- 72-90

AN ORDINANCE approving the awarding of Reference #1418 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **DEEDS EQUIPMENT COMPANY, INC.** for the Street Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1418 between the City of Fort Wayne, by and through its Department of Purchasing and **DEEDS EQUIPMENT COMPANY, INC.** for the Street Department, respectfully for:

the purchase of an asphalt roller for the Street Department;

involving a total cost of Forty-Two Thousand Nine Hundred Forty-Two and 64/100 Dollars ($42,942.64) all as more particularly set forth in said Reference #1418 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay, City Attorney

REF. NO.:	1418
DEPT.:	STREET DEPT
DATE:	3/19/90
ITEM/SERV.:	ROLLER

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	2/15/90 & 2/22/90
OPENING DATE:	3/8/90
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	9
NO. OF VENDORS RECEIVING BID:	6
NO. OF VENDORS RETURNING BID:	3
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	6
DATE SENT TO DEPT FOR RECOMM.:	3/8/90
DATE RECOMMENDATION REC'D IN PURCH:	3/19/90

COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	3/19/90	
INTRODUCTION DATE:	3/27/90	
DISCUSSION DATE:	4/3/90	
PASSAGE DATE:	4/10/90	
ORDINANCE NO.:		

AMOUNT APPROVED AND/OR SPENT
LAST YEAR: (IF APPLICABLE)

REFERENCE NO. 1418
ROLLER
STREET DEPT

ITEM	DEEDS	RUDD	BRANDEIS	TRI RIVER
TOTAL	$42,942.64	$68,145.00	$46,850.00	NO BID
LESS DISCOUNT	N/A	$15,845.00	N/A	
TOTAL	$42,942.64	$52,300.00	$46,850.00	
DELIVERY	30 DAYS	30-60 DAYS	3-5 DAYS	

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 3-8-90 @ 11:00 AM BID REFERENCE # 1418

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR ONE (1) NEW LOW PROFILE STATIC TANDEM ROLLER (10-14 TONS) PER SPECIFICATIONS

AND REQUESTED BY CITY OF FORT WAYNE STREET DEPT

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME DEEDS EQUIPMENT COMPANY, INC.

STREET ADDRESS 8015 EAST 45TH STREET

CITY LAWRENCE, INDIANA PHONE # 800-841-4028

BY John K Brennan
REPRESENTATIVE SIGNATURE
JOHN K. BRENNAN, PRESIDENT

SPECIFICATIONS FOR ONE (1) NEW LOW PROFILE STATIC TANDEM ROLLER (10-14 Tons)

The roller to be furnished under this bid shall be a low profile, diesel, powered, hydrostatic drive, with metal tandem rollers to be used to roll asphalt materials.

The equipment offered should be the manufacturer's latest model.

These specifications are to be considered as minimum. Bidders may offer equipment which exceeds these requirements. However, equipment which fails to meet the minimum requirements may be considered as non-responsive to the City's needs. Any additions, deletions or variations to these specifications must be stated and described in detail.

Bidder must furnish descriptive literature, complete specifications and data on the equipment bid.

BIDDER INFORMATION	
State the company name, address, telephone number and principal contact person.	Deeds Equipment Company, Inc. 8015 East 45th Street Lawrence, Indiana 46226 800-841-4028: 317-545-3331 800-234-6548: 219-784-2500 Dan Brennan
How long has the company been in business?	since 1946
How long has the company represented the equipment offered on this bid?	10+ years
State suppliers closest parts supply depot.	Deeds Equipment Company, Inc. 2203 Michigan Road Plymouth, Indiana 46564
State make and model of equipment bid.	Ferguson Model 10-14B

Engine	
Diesel - required	Yes
Make & model	John Deere 4239DL
Type	Four (4) Cycle
Number of cylinders	Four (4)
Bore & stroke	4.19 in. X 4.33 in.
Displacement	239 cubic inches
Horsepower 80 brake minimum	80 h.p.

Transmission	
Hydrostatic required	Yes/Sundstrand

Final Drive	
All components should be sealed and running in oil	Yes
Brakes	
State type	Hydrodynamic
Parking Brake	Spring applied - hydraulically released/Disc type
Required	
Drums	
Steering min. PLI 175 lbs.	PLI-177
Compression min. PLI 300 lbs.	PLI-348
Steering	
Hydraulic required	Hydraulic-Power
State turning radius	116" - inside
Water Spray System	
System type pressurized required	Yes
Tank material - non-corrosive	Polyethylene
Tank capacity 150 gal. min.	170 gallons
Pump (state type)	Submersible
Pump must be type that can be run dry without damage	One valve front
Spray Flow (must be valve controlled)	One valve rear
Pump - state minimum G.P.M.	17 gpm
Spray bars (must be non-corrosive metal)	Galvanized metal
Spray jets - state number, must be quick disconnect, non-corrosive type	12 total - 6 front, 6 rears
Filtration - must be non-corrosive material in all mesh screens, filter and pump strainers	Brass
Scrapers & Mats	
Both steering and compression drums must be equipped with two (2) double blade scrapers, and single full width coco mats or equal per roll. Mats and scrapers must be type to raise or lower.	Yes
Fuel Tank - 24 gallon minimum	Yes
Towing Release - required	Yes - Valve type
Tow Hooks or Loops- required	Yes

Electric System

Alternator 62 amp. minimum	.65 amp
Battery 12 volt 700 CCA minimum	725 CCA
Electric lights (2 front/2 rear)	Yes
Turn signals - required	Yes
4-way flashers - required	Yes

Vandal Protection - required — Yes

Instrument panel, engine compartment, hydraulic filters, tank fills, pumps, radiator, fuel tank, battery and storage compartment. — Lockable covers, two padlocks, locking fuel tank cap

Gauges - required

Hour meter, engine oil pressure gauge, fuel level gauge, water temperature gauge, voltmeter, hydraulic oil temperature gauge. — yes

Direction and/or Speed Control

Lever must have a lock for neutral position and a neutral start switch to prevent the engine from starting if transmission is not in neutral position. R.O.P.S. required. — yes

Seats

Two (2) padded required (50% rotation min.) — Fixed (do not rotate) Dual Center Facing

Must have total compliance with OSHA requirements — yes

Operator manual - required — yes

Parts manual - required — yes

Repair manual - required — yes

FOB:	FT WAYNE
DELIVERY TIME ARO:	30 Days
COST PER UNIT:	$42,942.64
LESS ANY DISCOUNTS:	
TOTAL FOR UNIT:	$42,942.64

WARRANTY: 12 months or 1,000 hours from date unit is first placed in service.

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: MARCH 8, 1990

1. Governmental Unit: CITY OF FORT WAYNE
2. County: ALLEN COUNTY
3. Bidder (Firm): DEEDS EQUIPMENT COMPANY, INC.
   Address: 8015 EAST 45TH STREET, BOX 26036
   City/State: LAWRENCE, INDIANA 46226
4. Telephone Number: 800-841-4028: 317-545-3331: 800-234-6548:219-784-250(
5. Agent of Bidder (If applicable): JOHN K. BRENNAN, PRESIDENT

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FORT WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

John K Brennan
Signature of Bidder or Agent
JOHN K. BRENNAN, PRESIDENT

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
			SEE ATTACHED		

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
MARION COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

DEEDS EQUIPMENT COMPANY, INC.
Bidder (Firm)
John K Brennan
Signature of Bidder or Agent JOHN K. BRENNAN
PRESIDENT

Subscribed and sworn to before me this 8TH day of MARCH, 19 90

My Commission Expires: 10/27/90

County of Residence: MARION

Antoinette M. Denny
Notary Public

ANTOINETTE M. DENNY
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

QUANTITY	UNIT	QUALITY - DESCRPITION	UNIT PRICE	AMOUNT
1 (ONE)		NEW FERGUSON MODEL 10-14B TANDEM STATIC STEEL WHEEL ROLLER WITH: MODEL 4239DL JOHN DEERE, 80 HP. DIESEL ENGINE HYDROSTATIC DRIVE GALVANIZED METAL SPRAY BARS BRASS, QUICK-DISCONNECT SPRAY NOZZLES SPRINKLER WATER FILTER BRASS, MESH SCREEN IN WATER TANK FILL PORT SEALED BEAM LIGHTS (2 FRONT, 2 REAR) TURN SIGNALS & FLASHERS (2 FRONT, 2 REAR) TWO KEYED ALIKE LOCKS LOCKING FUEL TANK CAP VOLTMETER HYDRAULIC OIL TEMPERATURE GAUGE ROPS & SEAT BELTS ONE PARTS & OPERATORS MANUAL		
		PRICE F.O.B. FORT WAYNE, INDIANA	$42,942.64	
		DELIVERY: 30 DAYS AFTER RECEIPT OF ORDER		

No. 1042794

BID BOND TO ACCOMPANY MERCHANDISE PROPOSALS

KNOW ALL MEN BY THESE PRESENTS, That DEEDS EQUIPMENT COMPANY INC

8015 E 45TH ST INDIANAPOLIS IN 46226

as Principal, and FEDERATED MUTUAL INSURANCE COMPANY as Surety, are held and firmly bound unto

CITY OF FT WAYNE 1 MAIN ST

FT WAYNE IN 46802 , as Obligee,

in the sum of 5% OF THE BID Dollars,

for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that whereas the Principal has submitted the accompanying bid for the following articles: NEW LOW PROFILE STATIC TANDEM ROLLER (10-14 TONS)

NOW, THEREFORE, if the bid of the aforesaid Principal shall be accepted by the aforesaid Obligee and the Principal shall faithfully perform the terms and conditions of the accompanying bid as may be required, then this obligation shall be null and void; otherwise to remain in full force and effect.

Signed and sealed this 8TH day of MARCH A. D. 1990.

DEEDS EQUIPMENT COMPANY INC

John K. Brennan

JOHN K. BRENNAN, PRESIDENT
Principal

Federated Mutual Insurance Company
Surety

Rebecca Ann Kelm
Attorney-in-fact

AF-19 Ed. 5-70

Printed in U.S.A.

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That FEDERATED MUTUAL INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of Minnesota, and having its principal office in the City of Owatonna, State of Minnesota, does hereby constitute and appoint:

Rebecca Ann Kelm of the City of *Owatonna* State of *Minnesota* its true and lawful attorney for the following purposes:

To sign its name as surety to, and to execute, affix the seal, acknowledge and deliver any and all surety bonds and penalties not exceeding:

One Hundred Thousand Dollars ($100,000) Each

The execution of such bonds or undertakings in pursuance of these presents shall be binding upon the Company as if they had been executed and acknowledged by the regularly elected officers of the Company.

This Power of Attorney granted by Federated Mutual Insurance Company shall terminate when the designee ceases to be:

1) Employed by Federated Mutual Insurance Company or

2) Employed by Federated Mutual Insurance Company in a job for which such Power of Attorney is required.

IN WITNESS WHEREOF, the said FEDERATED MUTUAL INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its First Vice President and Secretary this the *29th* day of *August* 19*89*.

FEDERATED MUTUAL INSURANCE COMPANY

BY _____
First Vice President

(Seal)

and BY _____
Secretary

STATE OF MINNESOTA
COUNTY OF STEELE

On this *29th* day of *August* 19*89* personally appeared before me, the undersigned notary public, DONALD RAY HUFF AND F. H. HEISEKE to me personally known, who, each being duly sworn by me, did say that they are respectively the First Vice President and Secretary of the FEDERATED MUTUAL INSURANCE COMPANY and that the seal affixed to this instrument is the corporate seal of said Corporation and that this instrument was signed and sealed on behalf of said Corporation by authority of its Board of Directors and said DONALD RAY HUFF AND F. H. HEISEKE acknowledge said instrument to be the free act and deed of said Corporation.

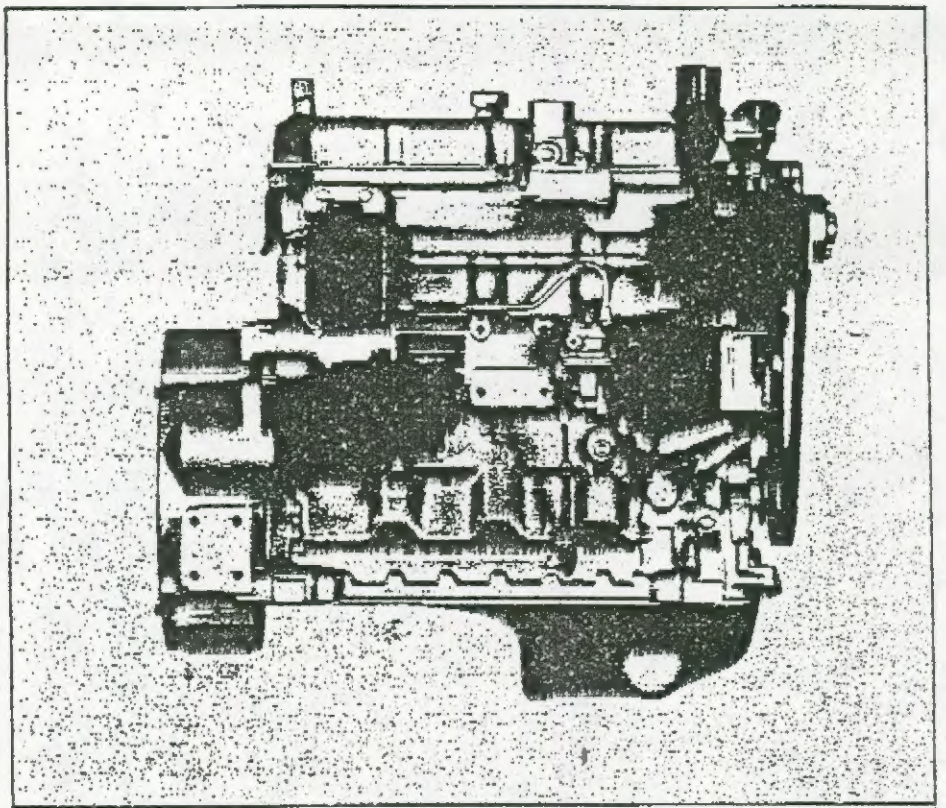
(SEAL)

_____

EVELYN KAPLAN
NOTARY PUBLIC - MINNESOTA
STEELE COUNTY
My Commission Expires June 30, 1991

Series 300:

4239DL DIESEL ENGINE



ENGINE DESCRIPTION:

Type: 4-cylinder valve-in-head
Bore/stroke: 4.19 in. x 4.33 in. (106 mm x 110 mm)
Displacement: 239 cu. in. (3.92 L)
Basic weight (approx.): 815 lb. (370 kg)
Power (@ 2,500 rpm), intermittent: 80 hp (60 kW)
(@ 2,200 rpm), continuous: 71 hp (53 kW)

FEATURES:

Heavy-duty, one-piece, gray-iron cylinder block with deep, thick-ribbed skirts.
Heat-treated, forged-steel crankshaft, dynamically balanced.
Forged-steel connecting rods with precision-machined square-tongue-and-grooves.
Centrifugally cast cylinder liners, wet-sleeve flanged design, individually replaceable.
Crankshaft-driven, positive gear-type lubricating pump.
Small-diameter nozzles with an exclusive edge-filter design.
Compact distributor-type injection pump contains fuel filter, built-in transfer pump, variable pressure-adjusting and temperature-compensating system, speed advance, and an electric shut-off.
Oil spray piston cooling.

PERFORMANCE

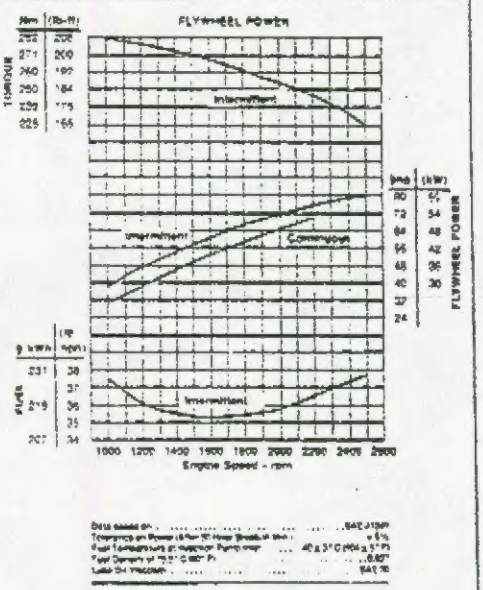
Performance curves are for gross brake power operation per SAE J1349 (engine equipped only with built-in accessories essential to its operation such as fuel pump, oil pump and coolant pump).

Intermittent power is the power available for varying load and speed operations. Average load factor must not exceed ⅔ of the intermittent power rating.

Continuous power is the power available for continuous duty condition within a specified speed range.

Standard Atmospheric Conditions per SAE J1349 - pressure is 100 kPa (29.56 in Hg) corresponding to 110 m (360 ft.) altitude; temperature is 25° C (77° F). Performance also applies at DIN 6270 standard conditions of 97.8 kPa (28.97 in Hg) and 20° C (68° F).

Derating Due to Altitude and Temperature: The engine may exhibit a nominal 3% reduction in power output per 300 m (1000 ft.) increase in altitude and 1.5% per 5.5° C (10° F) rise in intake air temperature above standard conditions. Above 1500 m (5000 ft.) engines may have to be defueled to maintain acceptable engine performance.



STANDARD EQUIPMENT:

Water and oil pumps
Oil pan
Engine oil cooler
Oil and fuel filters
Fuel-injection system complete (includes governor)
Intake and exhaust manifolds
Alternator: 12 volt, 65 amp. w/regulator
Starter: 12 volt (no battery and cables)
Flywheel housing: SAE No. 4
Fuel-transfer pump
Thermostat housing
Lift eyes
Flywheel: For 10-in. (254 mm) over-center clutch
Electronic tach drive provision

OPTIONAL EQUIPMENT:

Flywheels and flywheel housings
Intake and exhaust manifolds
Oil pans
Alternators: 45 or 78 amp
Injection pump for generator set governing (approx. 3-5 percent).
24 volt electrics
SAE auxiliary drive - SAE "A" & "B"
Auxiliary front pulley

Read the first time in full and on motion by Henry, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATED: 3-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 4-10-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) (ZONING MAP) ORDINANCE ~~RESOLUTION~~ NO. R-72-90 on the 10th day of April, 1990,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles B. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1990, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of April, 1990, at the hour of 12:20 o'clock P.M.,E.S.T.

PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 1418 for the purchase of an asphalt roller for the Street Department. The costs reflect the lowest and most responsive of three (3) vendors.

1-50-03-23

EFFECT OF PASSAGE: This piece of equipment will be used in the paving of the City streets.

EFFECT OF NON-PASSAGE: Will have to rent roller which is costly.

MONIES INVOLVED: Deeds Equip $42,942.64

PRICE AGREEMENT:

PURCHASE ORDER: Yes

SOURCE OF FUNDING: Street Dept 128-128-1201-439B

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-90-03-23

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, BURNS, GiaQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #1418 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and DEEDS EQUIPMENT COMPANY, INC., for the Street Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Thomas C. Henry			
Donald J. Schmidt			
Janet G. Bradbury			
Thomas C. Burns			
Mark E. GiaQuinta			

DATED: 4-10-90

Sandra E. Kennedy
City Clerk